CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE EIGHT HUNDRED AND SEVENTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 8 September 1998, at 11.35 a.m.

President: Mr. Soutar (United Kingdom)

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The PRESIDENT: I declare open the 807th plenary meeting of the Conference on Disarmament.

I should like at the outset to extend, on behalf of us all, a warm welcome to the representatives of Romania, Ambassador Ioan Maxim, and Kenya, Ambassador Rana, and to assure them of our full cooperation and support. I am also pleased to welcome the participants in the United Nations Disarmament Fellowship and Training Programme who are observing the proceedings of this plenary. I hope very much that they will benefit from exposure to our deliberations and, of course, from the presentations which will be made to them on various aspects of our work. I want to wish them a fruitful stay in Geneva.

On my list of speakers for today I have the Special Coordinator on expansion of the membership of the Conference, Ambassador Erwin Hofer of Switzerland, as well as the representatives of Slovakia, the United States of America, the Russian Federation and Kenya.

Once we have exhausted the list of speakers, it will be my intention to proceed to the formal adoption of the reports of the Ad Hoc Committee on Effective International Arrangements to Assure Non-nuclear-weapon States against the Use or Threat of Use of Nuclear Weapons and the Ad Hoc Committee under item 1 of the agenda entitled "Cessation of the nuclear arms race and nuclear disarmament". We would then consider and adopt the draft annual report to the United Nations General Assembly, as contained in document CD/WP.497/Rev.1, as modified earlier this morning.

I now give the floor to the representative of Switzerland, Ambassador Erwin Hofer, who will speak in his capacity as Special Coordinator on expansion of the membership of the Conference.

Mr. HOFER (Switzerland) (translated from French): Mr. President, allow me first to congratulate you on taking the Chair of the Conference on Disarmament. It a very special honour and pleasure for me to be able to present my report at a time when you are conducting the deliberations of our Conference. I am aware that your great qualities as a diplomat will assist the Conference to conclude this 1998 session on a very promising note. My thanks also go to Ambassador Mykola Maimeskul of Ukraine, who while continuing the process of consultations by the troika on nuclear disarmament issues, has been in a position to lead the Conference to an operational decision of the greatest importance, bringing it back once and for all to its principal vocation of multilateral negotiations. I also express a cordial welcome to the Ambassadors of Kenya and Romania.

I have the honour of to address the Conference today in my capacity as Special Coordinator on the question of the expansion of the membership of the Conference on Disarmament (CD), thus discharging the mandate contained in decision CD/1501 of 26 March 1998. When it took that decision, the Conference had in mind rule 2 of its rules of procedure, which provides that the membership of the Conference must be reviewed at regular intervals. The

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reason for this rule is clear and stems from the dilemma created by the existing tension between the limited membership of the Conference on the one hand and the universal scope of its task on the other.

Throughout its history the Conference on Disarmament has sought responses to this dilemma by gradually adapting its membership to the new features of its political and strategic context, the aim being to reach, in addition to those States that participate as fully-fledged members in the negotiations of the Conference, the international community as a whole. The context of the latest expansion was described by the Ambassador of Australia at the time, Mr. O'Sullivan, on 13 April 1993, in document CD/1214. The Conference adopted that report on 21 September 1995 in its decision CD/1356. The final implementation of that decision took place on 17 June 1996, in document CD/1406.

That latest measure to increase the number of member States constituted a qualitative and quantitative step of the greatest importance in the history of the Conference, considerably enhancing its credibility and its political representativeness. Nevertheless, that expansion did not do away with the dilemma that I have just described concerning the tension between the limited membership of the CD and the universal scope of the legal instruments that emanate from its work. In addition, certain States which had put forward their candidatures more than a decade before the publication of Ambassador O'Sullivan's report were not able to join the Conference at that time. Meanwhile, in addition, those States had been joined by others, encouraged by the impressive success of the CD in recent years and inspired by a desire to participate constructively in future negotiations.

In view of this situation, while confirming the importance of rule 2 of its rules of procedure and bearing in mind the fact that barely a third of the States Members of the United Nations are members of the Conference, the CD appointed another Special Coordinator for expansion a year later in the shape of Ambassador Harald Kreid of Austria. He held intensive consultations and at the same time carried out a scientific analysis of the context and membership of the Conference. This was reflected in his report submitted a year ago, on 28 August 1997.

The wealth of ideas and proposals put forward by many delegations during these debates, and the reports of the two previous Coordinators, enabled me from the moment of my appointment by the Conference on 14 May 1998 to embark immediately on substantive consideration of the possible options for action by the Conference on the subject, and also in parallel to hold intensive consultations with the delegations concerned. This work produced concrete results that enabled the Conference, during the informal consultations on 12 June 1998, to define four options, which are reflected in working paper CD/EM/WP.1 of 22 June 1998. Option 4 put forward in this document, described as "qualified universality" and recognizing that all States Members of the United Nations and the specialized agencies have the right to apply for admission to the CD, received broad support. A number of delegations also favoured option 3, a formula aimed at admitting the great majority of the States that have so requested. Lastly, others supported a combination of

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option 2, a limited upward adaptation of the most recent expansion, with option 3. On the other hand, it was found that no delegation opposed future expansion of the Conference.

At the end of this first part of his mandate, the Coordinator was thus able to draw the provisional and welcome conclusion that there was a consensus on the principle of future expansion, but that there still remained considerable differences with regard to the timing, the scope and the practicalities of such a development. While continuing his work on this provisional basis, the Special Coordinator noted during his consultations that the proposals aimed at the adoption of the principle of qualified universality - option 4 - were not yet ripe for a decision by the Conference. The same observation applies to option 3, that is to say the solutions involving acceptance of all the candidatures, or those of the majority of the States that have made applications. As a result, and still against the background of rule 2 of the rules of procedure, we will have to look at these options again later.

At the same time, the Coordinator was able to detect the outline of a potential consensus to the effect that the Conference could be expanded by a number of States limited to five, that is to say option 2 in the working paper of 22 June 1998. That conclusion was communicated to the CD in the informal consultations on 13 August 1998.

The Coordinator must also stress that several delegations on that same occasion suggested that this number of five States should be doubled to give 10 acceptable candidates, thus moving in the direction of option 3. However, on taking up that proposal during his consultations, the Coordinator was obliged to note that there was no convergence of views that would lead to a consensus on that subject.

Taking the hypothesis of an increase of five new members, the question clearly arises immediately of how to choose among the applicant States. Several very useful suggestions were made by delegations. However, in this regard I must stress with all necessary clarity that your present Coordinator, like Ambassadors O'Sullivan and Kreid, has reached the conclusion that there is no objective criterion that would make it possible to exclude any State permanently from the Conference, but that we must rather seek a solution that would be acceptable to all members of the Conference, on the basis of the consensus required by the rules of procedure.

Along the same lines, it has become clear that it would be extremely difficult, even impossible, to define an ideal number of participants in terms of the techniques of multinational negotiation, but that this number would rather be determined by the interests and the political will of the States involved in such a process. In this context, the suggestions put forward by delegations do not represent objective criteria for selection but rather signposts in the quest for a solution acceptable to all members of the Conference. They generally feature a desire to take into account the waiting

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period spent by each applicant State and to give consideration to balance among the different political tendencies and geographical areas represented in the Conference.

In view of these different views, the Coordinator finally arrived at the conclusion that it might be possible to achieve consensus within the Conference for expansion of the membership by five new members. Following the pointers given by delegations - and not, of course, by the Special Coordinator - the selection of these five States derives quite logically and consistently from the annex to the working paper presented to the Conference on 22 June 1998. A decision along these lines would thus allow accession to the CD by a State from Western Europe, a second State from the Commonwealth of Independent States, a third State from Africa, a fourth State from Asia and, finally, a fifth State from Latin America. Expressed in the traditional terms of the groups existing within the Conference, this would give three places to the Group of 21, one to the Western group and a last one to a group to be determined. This clearly would be subject to the respective applications of the new members and the decisions in that regard taken by these groups.

All these decisions were communicated to the members of the Conference during the informal consultations of 13 August 1998 and can thus be considered as having been duly circulated and considered.

The Coordinator, who was of course appointed by the Conference to try to develop elements of a consensus among the member States, was very keen at the same time to maintain close contact with the candidate States, respecting, among other things, the fact that all these States are called on to put into effect the legal instruments that emanate from the Conference. It was in this spirit that the Coordinator had occasion to meet the delegations of all those States, in particular during a meeting on 5 August 1998, thus maintaining considerable transparency in the negotiations directly affecting their applications for admission.

Bearing in mind all these points and observations which have been very useful to me in my consideration, I believe I can now sum up the result of my consultations as follows. First, in the spirit of rule 2 of the rules of procedure on the need to review the membership of the Conference at regular intervals, the Coordinator notes that a consensus in principle exists in favour of expansion beyond the present membership of the Conference.

Secondly, the solutions providing for the admission of all or most of the applicant States are not ripe at this stage for a decision by the Conference. The same is true for the principle of qualified universality. That option has obtained broad support but it is still relatively far from reflecting a consensus. Hence the Conference must pursue the issues connected with these two options in a way and at a time that it feels appropriate.

Thirdly, in contrast, there would be a possibility of taking a concrete decision that would lead to an expansion of the Conference by five members representing the major regional trends: Latin America, Europe, the Commonwealth of Independent States, Asia and Africa. As a result, bearing

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in mind among other things and in a relative manner the dates of the applications, this option would apply to the following States: Ecuador, Ireland, Kazakhstan, Malaysia and Tunisia. It goes without saying - but the Coordinator wishes to stress this with all necessary clarity - that the possible choice of five States that the Conference might make if it felt such a step appropriate would in no way prejudice the grounds for or value of present or future requests for admission by other States.

As the Coordinator, I am convinced that an affirmative decision by the Conference in relation to the expansion of its membership would give a positive political signal within the Conference itself, but also to all the candidate States and the international community in general. I therefore felt it would be useful to prepare a draft on this subject and submit it to the President. He informed me that the Conference was close to a solution, but that it was not yet in a position, at any rate at this stage, to take an operational decision.

Fourthly, even after having taken such a decision, and in view of the fact that the work has not been completed as I described in point 2 of my conclusions, I also recommend that the Conference should once again appoint a special coordinator at its next session to continue informal consultations in accordance with rule 2 of our rules of procedure.

Before I conclude, I should like to thank all the delegations for the valuable support they have given me in discharging my mandate. In this regard I am also very grateful to the Secretary-General of the Conference, Mr. Vladimir Petrovsky, his deputy, Mr. Abdelkader Bensmail, and Mr. Jerzy Zaleski of the secretariat, who provided me with such excellent assistance in my work as Special Coordinator.

The PRESIDENT: I thank the Special Coordinator for the presentation of his report and for the kind words he addressed to the Chair. I think it is an indication both of the Special Coordinator's persistence and also of the difficulty and sensitivity of the issue he was called upon to address that his report has been delivered to us on this, the final day of the 1998 session. The delegation of Norway have asked for the floor.

Mr. KONGSTAD (Norway): Mr. President, it may seem needless, but to avoid any misinterpretation by not doing so, may I say that my delegation is delighted to see you as President of the Conference and assure you of my delegation's full support in your work?

We have listened with great interest to the report of the Special Coordinator on expansion and we are both grateful for and impressed by the work carried out by Ambassador Hofer. The Norwegian position on expansion is well known in this chamber. We see the question of expanding the membership to be of great importance for the future of the Conference on Disarmament. Having heard the report of the Special Coordinator today suggesting that there is a near or possible agreement on the Special Coordinator's proposal on an expansion of five named countries, and not having heard any delegation at any time during the informal plenary consultations voicing opposition to this

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proposal, my delegation would like to ask through you, Mr. President, whether there still is any delegation that cannot agree to accept the Special Coordinator's proposal of expanding the CD with Ecuador, Ireland, Kazakhstan, Malaysia and Tunisia.

The PRESIDENT: Thank you for the kind words addressed to the Chair. The Ambassador of Morocco has asked for the floor.

Mr. BENJELLOUN-TOUIMI (Morocco): I do not remember if I congratulated you on your accession to the presidency, but I would like to do so and tell you how much I admire the very successful work you have been doing so far. I would also like to thank Ambassador Hofer for the wonderful job and persistent work that he has done on this very difficult and sensitive issue. His report shows the depth of the work that he has undertaken for us, not surprisingly as Ambassador Hofer was a very good President, and he continues doing such a good job for us.

I take the floor to ask you whether it would be possible, since we are near consensus, to give delegations time to obtain instructions from their capitals, as it is the tradition of this Conference to allow time for delegations to do so. I do not want to argue with our colleague from Norway, but it is not the tradition of this Conference, when we know that some delegations do not have instructions or when we know they have difficulties, to point a finger at them because that is not the way we work here. I therefore suggest we meet at the first plenary in 1999 to put the draft decision contained in Ambassador Hofer's report for acceptance.

The PRESIDENT: Thank you for the kind words addressed to the Chair. I think you have already demonstrated by your interventions in other discussions that you are committed to helping the presidency exercise its functions. Thank you also for reminding me of the traditions of this chamber. It is indeed the case that we do not, as a rule, as I understand it, seek to press delegations who may have some difficulty in obtaining the necessary instructions from their capitals. Ambassador Hofer's report referred quite rightly to a consultation which he and I had, and he referred to my having informed him that the Conference, in my estimation, was close to a solution but not yet ready to take an operational decision at this stage. I reconfirmed this position yesterday afternoon in the Presidential consultations, and that was the situation. Nonetheless, in response to the request from my Norwegian colleague, I feel I should at least offer the regional coordinators the opportunity of informing the Conference if there has been any change in the interim. That does not seem to have been the case.

The next speaker on my list is the Ambassador of Slovakia.

Mrs. KRASNOHORSKÁ (Slovakia): Mr. President, allow me first to congratulate you on your assumption of the presidency of the Conference on Disarmament. We are confident that through your vast experience and diplomatic skills you will bring this body to a successful conclusion of its annual session. I would also like to express my gratitude and appreciation to your five predecessors for their leadership and dedication in steering the

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Conference this year. I would especially commend Mykola Maimeskul, Ambassador of our neighbouring country, Ukraine, for his efforts in reaching a CD decision on the establishment of the Ad Hoc Committee under agenda item 1. I would also like to pay tribute to Mr. Vladimir Petrovsky, the Secretary-General of this Conference, Mr. Abdelkader Bensmail, his deputy, and all the staff for their effective and professional contribution to the work of the Conference and for all the help and advice I received, in particular, during my country's presidency of the CD last year. Last but not least, I would like to welcome our newly arrived colleagues, wishing them every success in their work, as well as in their private life here in Geneva.

In spite of the fact that I have not addressed the CD plenary this year, I believe the position and very flexible attitude of my delegation is well known. Although small, my delegation has always paid great attention and striven to contribute by its active participation to the work of this unique body. At this specific juncture, when I am leaving Geneva, having the honour and privilege to represent my country for more than four years, I would like to reiterate our views on the topics which have been discussed in the CD this year.

Slovakia, as a country using nuclear energy solely for peaceful purposes, attaches great importance to both aspects of the nuclear agenda, nuclear non-proliferation and nuclear disarmament. The Slovak Republic supported and welcomed the results of the 1995 Review and Extension Conference of the Treaty on the Non-Proliferation of Nuclear Weapons, particularly the indefinite extension of the NPT. My delegation, already as a new member of the CD, took part in the final phase of negotiations on the Comprehensive Test-Ban Treaty. Slovakia has signed and, on 3 March 1998, also ratified the CTBT as one of 44 countries whose ratification is necessary for the entry into force of the Treaty. Moreover, we have been actively involved in the process of its institutionalization through our chairmanship and vice-chairmanship in the Preparatory Commission for the CTBTO. Today, when the collective wisdom of the Conference on Disarmament has resulted in the establishment of the Ad Hoc Committee under item 1 of the agenda, entitled "Cessation of the nuclear arms race and nuclear disarmament", my delegation expresses its full support for an expeditious negotiating process. In our view the negotiations on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear devices are the next logical step after the CTBT. We consider this step as a prerequisite for strengthening the nuclear non-proliferation regime and for the eventual achievement of nuclear disarmament. I congratulate the first Chairman of this Ad Hoc Committee, Ambassador Mark Moher of Canada, assuring him of the support and cooperation of my delegation.

Along with the nuclear issue, the question of the prohibition of anti-personnel landmines occupies the top of our disarmament agenda. We welcome the progress, not long ago still inconceivable, which has led to the elaboration of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, commonly known as the Ottawa Convention, and its signature by a larg- number

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of countries. On the other hand, we are concerned at its limited universality caused by the hesitation of some producers and users of these abhorrent and inhuman weapons to join this instrument of the international community which can and must bring relief to as many people and regions as possible throughout the world. While we note with satisfaction the increasing number of ratifications of the Ottawa Convention, we also try to support other activities promoting the limitation and prohibition of APLs which, although only partial steps, contribute to achieving our ultimate goal of their total and eventual elimination. We believe the commencement of the negotiations on a ban on the transfer of APLs in the CD could be a very good step in this direction. Using this occasion, my delegation pays tribute to Ambassador John Campbell of Australia for the diligent work he performed as Special Coordinator on APLs. We are convinced that these two processes are complementary in the present time-frame, and therefore we support the establishment of the relevant ad hoc committee to negotiate the ban on transfers of APLs in next year's CD session. Although our ratification of the Convention is still in the legislation process, my Government has already adopted specific measures in the spirit of implementing such a ban. The strong commitment of my country to the question of APLs will also be sustained by our ratification next year of Protocol II, as amended, of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, known as CCW. Last but not least, I would like to recall the possibility of using our technology and capacity for destruction of stockpiles of APLs for those countries not possessing such means.

Another important issue for my delegation is transparency in armaments. It is obvious that the unregulated transfer of conventional weapons, especially of light weapons and small arms, has a negative impact on many regional conflicts particularly affecting the civilian population. The United Nations Register of Conventional Arms, the universality of which is still not satisfactory, does not sufficiently address the problem of arms trade responsibility. At this juncture we highly appreciate the contribution of the European Union (EU) to solve this problem by adopting the EU Code of Conduct on Arms Exports. Slovakia, as an associated country to the EU, has aligned itself with the criteria and principles contained in the Code and adheres to them in its national export control policy. We are convinced that the example of this Code is worth following and results of its implementation will soon have a very positive effect on addressing the serious problem of arms exports and transfers.

My delegation welcomes the re-establishment of the Ad Hoc Committee on Effective International Arrangements to Assure Non-nuclear weapon States against the Use or Threat of Use of Nuclear Weapons. It would like to congratulate Ambassador Antonio de Icaza of Mexico on his appointment as Chairman of this Committee. My delegation appreciates the well-structured work he has already undertaken in this field. We are of the opinion that, pending the complete and effective elimination of nuclear weapons, non-nuclear-weapon States should be effectively assured by the nuclear-weapon

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States against the use or threat of use of nuclear weapons. Much work still needs to be done, and therefore we support the re-establishment of this Ad Hoc Committee next year.

Although prevention of an arms race in outer space does not belong to the priorities of my delegation, we highly appreciate the work of the Special Coordinator on agenda item 3, Ambassador Palihakkara of Sri Lanka, and we support the idea of continuing the consultations on this item in 1999. We have no objection, in principle, to the establishment of an ad hoc committee or the draft mandate proposed by the Special Coordinator, which we view as a good basis for further consultations.

It is our view that any organization attempting to maintain effective functioning must, from time to time, go over the process of reviewing its procedural norms and practices. This also applies to the CD. Ambassador Illanes of Chile, the Special Coordinator for improved and effective functioning of the CD, as well as his predecessor, Ambassador Zahran of Egypt, have undertaken valuable work in this field. We commend their efforts and we support further consultations leading to improved and streamlined working methods and procedural norms so that the Conference may be able to avoid situations of stalemate.

The wide divergence of views of CD delegations implies how sensitive is the question of the review of its agenda and how difficult and demanding is the work of the Special Coordinator. We noted, with hope, a moderate level of optimism towards "more flexibility and an increased desire for action on the part of a number of delegations", as stated in Ambassador Náray's recent report. If this is the trend, we should strive to keep its momentum regardless of the absence of a "major shift in basic positions on substantive matters" or a willingness to "redefine the disarmament agenda established during the years of the cold war". Therefore, we express our support to Ambassador Náray in his further work in the field of review of the CD agenda next year.

After the dissolution of the former Czechoslovakia, according to a bilateral agreement between its two successor States, the Czech Republic and the Slovak Republic, the latter should have filled this vacated seat in the CD. Unfortunately, this was not the case. Slovakia had to wait until 1996 for its admission when, among 23 other countries, it became a full member of the CD. Owing to this experience, Slovakia is fully aware of the difficulties linked with the issue of CD membership expansion and understands very well the disappointment of candidate delegations. Therefore, our position is rather strong and is built on the presumption that all the States who have applied for membership of the CD should be given the opportunity to participate in the work of the Conference as fully-fledged members. As the CD is the sole international and multilateral negotiating body in the area of disarmament and as its outcomes are of a global nature, it should deserve a broader representation. On the other hand there is the need to keep negotiating processes constructive and effective. Recent CD expansion has proved that concerns of ineffectiveness in connection with its membership enlargement are not well founded. It is therefore our view that further expansion would be

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mutually beneficial for both the new members and the Conference itself. My delegation pays tribute to Ambassador Hofer for h[illegible] important efforts and valuable work as the Special Coordinator on expansion of the membership of the CD.

(continued in French)

Mr. President, over the period of more than four years during which I have had the honour to represent my country in the Conference on Disarmament, I have heard many excellent statements made by colleagues on the point of leaving the Conference. Several among them described the walls of this room, its solemn atmosphere and the sentiments it inspired. I personally would like to draw your attention to the room which is on your right when you leave this Council chamber. It is the Czech and Slovak room, restored by the Governments of the two republics on the occasion of the fiftieth anniversary of the United Nations. In the past this room was the scene of delicate negotiations on peace and disarmament. It is my wish that in the very near future the Conference will resume negotiations which are of common interest to mankind as a whole. My best wishes for success and happiness to my colleagues and friends.

The PRESIDENT: I thank the representative of Slovakia for her statement and for the kind words addressed to the Chair, as well as for the good wishes addressed to the Conference as a whole.

As we have just heard, Ambassador Mária Krasnohorská will soon leave this Conference, having been called to other responsibilities by her Government. She has represented her country in the Conference for four years. She also presided over this Conference last year during a very difficult period, when her efforts to direct the Conference on its road to substantive work came up against deep-rooted divergences among delegations. I hope that she may take heart at the fact that those efforts were not entirely lost, and that she leaves this Conference with the satisfaction of seeing the logjam beginning to move. I should like, on behalf of all of us, to express to Ambassador Krasnohorská our very best wishes for continued success and personal happiness.

I now call upon the representative of the United States of America, Ambassador Robert Grey.

Mr. GREY (United States of America): May I first of all take this opportunity to bid farewell to our colleague, Ambassador Krasnohorská of Slovakia? I have greatly enjoyed working with you, Ambassador, and you have my every good wish for success in the future. I also take this occasion to welcome our new Kenyan and Romanian colleagues.

Mr. President, today I want to inform you and other CD colleagues about the agreements my Government concluded with the Russian Federation last week during the meeting between our two Presidents in Moscow. Among the historic accords are four that bear directly on the international community's collective efforts to move forward toward disarmament and non-proliferation

(Mr. Grey, United States)

objectives. I believe that these initiatives will serve to stimulate progress in this Conference, as we seek to negotiate agreements that will make our world safer, more secure, and more stable.

The United States and the Russian Federation issued a Joint Statement of Principles dealing with the important issue of managing and reducing stockpiles of plutonium for weapons. Measures to manage and reduce such stockpiles are an essential element of irreversible reductions in nuclear arms, in part to ensure that these nuclear materials do not become a proliferation risk.

Under this agreement each country will remove by stages approximately 50 metric tons of plutonium from its nuclear weapons programme. Each will then convert this material so that it can never again be used in nuclear weapons. To put this initiative in perspective, the agreement covers nearly 50 per cent of total United States holdings of such plutonium.

United States and Russian experts have been directed to begin negotiations promptly with the goal of completing a detailed bilateral agreement by the end of this year. Such an agreement would lay out the timetable and a number of details necessary to carry out this very ambitious programme. Our two countries will seek to develop acceptable methods and technology for transparency, including appropriate international verification measures and stringent standards of physical protection, control, and accounting for the management of plutonium. The United States and the Russian Federation fully expect that the comprehensive effort for the management and disposition of this plutonium will be a broad-based, multinational one. Both countries welcome close cooperation and coordination with other countries.

I wish to emphasize that this agreement goes beyond previous bilateral initiatives announced in 1995 and 1997 to cease the production of highly enriched uranium and plutonium for use in nuclear weapons. The steps the United States and Russian Federation have outlined and the resulting transparency should add impetus to our collective efforts in the Conference next year to negotiate a fissile material cut-off treaty.

In order to minimize further the disastrous consequences that would result from the launching of missiles based on the false warning of a missile attack, the two Presidents also signed an agreement committing the United States and Russia to exchange information on launches of ballistic missiles and space launch vehicles on a continuous basis. As part of this initiative, we have agreed to examine the possibility of establishing a multilateral pre-launch notification regime for ballistic missile and space vehicle launches.

This latest agreement follows in the tradition of other important United States-Russian strategic stability measures, including the Washington-Moscow hot line, the nuclear risk reduction centres, and the detargeting accord. It will allow the world to move one more important step back from the nuclear precipice of the cold war and will help make it safer.

(Mr. Grey, United States)

In an effort to add momentum to the work of the Ad Hoc Group of States Parties to the Biological Weapons Convention, the two Presidents also issued a joint statement last week expressing strong support for the legally binding protocol being negotiated to strengthen the Convention. They urged the further intensification and successful conclusion of the negotiations so that the protocol can be adopted as soon as possible.

Finally, in an effort to strengthen the international non-proliferation regime, the two Presidents announced as part of a "Joint Statement on Common Security Challenges at the Threshold of the Twenty-first Century" their commitment to cooperate further on export controls, especially those focused on the technologies and delivery means for weapons of mass destruction. For example, the United States and Russia will establish expert groups on nuclear matters, missile and space technology, and conventional weapons, as well as dedicated communications to facilitate the rapid exchange of information.

My delegation is working with the Russian delegation to submit texts and fact sheets on these initiatives and agreements later in the week to become official CD documents.

Mr. SIDOROV (Russian Federation) (translated from Russian): Mr. President, first of all, this time formally, I should like to congratulate you on taking office as President and to thank the Ambassador of Ukraine for his successful work as the previous President. I should also like to take this opportunity to wish the distinguished Ambassador of Slovakia, Mária Krasnohorská, who regrettably is leaving us, great success in her new post in Bratislava. And finally, I welcome the new Ambassadors of Kenya and Romania and assure them of my readiness to cooperate with them.

Our delegation would like to inform the participants in the Conference on Disarmament of the results of the talks held from 1 to 3 September in Moscow between the President of the Russian Federation, B.N. Yeltsin, and the President of the United States of America, B. Clinton, on issues that have a direct bearing on the work of our Conference. I should like to apologize in advance to the participants in the Conference for possible repetitions of what was said by Ambassador Grey. But I think that these repetitions are inevitable and the participants in the Conference will view them with understanding.

The Presidents conducted a fruitful exchange of views on key issues of world policy, whose common denominator was the interest of Russia and the United States in enhancing mutual interaction to ensure international stability. Presidents B.N. Yeltsin and B. Clinton adopted a "Joint Statement on Common Security Challenges at the Threshold of the Twenty-first Century" in which they reaffirmed the resolve of Russia and the United States to cooperate actively and closely with one another, as well as with all other States concerned, for the purpose of preventing and reducing the threat of the proliferation of weapons of mass destruction, their production technologies and means of delivery.

(Mr. Sidorov, Russian Federation)

The Presidents stated that the START Treaty and other Russian-American initiatives in the field of nuclear arms reduction adopted in 1991 and 1992 will help Russia and the United States to achieve the final goal of nuclear disarmament and strengthening international security. In reaffirming their commitment to the strict observance of their obligations under START and the ABM Treaty, B.N. Yeltsin and B. Clinton declared their resolve to cooperate in expediting the entry into force of the START II Treaty. The Presidents reaffirmed that Russia and the United States will commence negotiations on lower levels within the framework of the START III Treaty immediately after the ratification by Russia of the START II Treaty.

Yet one further important result of the Russian-American meeting was the Joint Statement of Principles for management and disposition of plutonium designated as no longer required for defence purposes. Under this document, each side intends to proceed to a stage-by-stage removal of about 50 metric tons of plutonium from its nuclear weapons programmes and to convert it so that it can never be used in nuclear weapons. The statement outlines the basic parameters for further cooperation in this direction on a bilateral as well as a multilateral basis. There are plans to draw up a new Russian-American agreement on cooperation in this field by the end of this year.

The negotiations produced a joint statement on a protocol to the Convention on the Prohibition of Biological Weapons, in which the Russian Federation and the United States of America declared their readiness to exert additional efforts in the Ad Hoc Group to achieve decisive progress in the negotiations on the protocol to the Convention, to ensure its universality and to enable the Group to carry out its mandate.

The Presidents signed a joint statement on the exchange of information on missile launches and early warning, which provides for the institution of a continuous exchange of information on launches of ballistic missiles and space-launched vehicles received from missile attack warning systems. Agreement was reached on studying the issue of the establishment of a special Russian-American centre to exchange data on missile launches as well as a multilateral system of notification of forthcoming launches of ballistic missiles and space vehicles, in which other States could participate on a voluntary basis.

In conclusion I should like to confirm that, together with the American delegation, we intend to give the secretariat the documents I have listed for circulation as official documents of the Conference on Disarmament.

The PRESIDENT: I thank the representative of the Russian Federation for his statement and for the kind words addressed to the Chair. The Ambassador drew attention to the possibility of overlap between his statement and that of Ambassador Grey. I have no doubt that the experts will be scrutinizing the texts very carefully for any possible signs of difference of opinion. The next speaker on my list is the Ambassador of Kenya.

Mr. RANA (Kenya): Mr. President, I would like to thank you very much for your warm words of welcome. Allow me also to thank the Ambassadors of Switzerland, Slovakia, the United States of America and the Russian Federation for the same. My delegation is very pleased indeed with the careful, articulate and efficient way in which you have run the business of the CD during your tenure. You can count on our continued support.

It is unfortunate that it has not been possible for me to participate directly in the work of the Conference up to now. This has been due to circumstances beyond my control. Nevertheless, I have kept abreast of the disarmament work here. I realize it has been a rather difficult year for the Conference. Movement has been slow partly due to the sensitive nature of some of the agenda items, such as item 1, that is nuclear disarmament. This has inevitably resulted in quite a bit of time and effort being spent on debate on peripheral matters much to the detriment of substantive issues.

However, I note with satisfaction that some progress has been made in various areas of work, notably by the Ad Hoc Committees. In their respective reports, these committees have recommended that their mandates be renewed next year. That being the case, my delegation looks forward to the early consolidation of this progress when we resume work in the new year.

I have also noted that the Conference is on the verge of adopting its report for presentation to the fifty-third session of the United Nations General Assembly. Going by its contents, including the various documents attached to it, it is clear that there has been some constructive debate in which useful ideas have been laid on the table by various delegations. This is encouraging and it is my hope that we will be able to build on this.

The PRESIDENT: I am grateful to the representative of Kenya for his statement and the kind words addressed to the Chair. I now have on my list of speakers the delegation of Norway.

Mr. KONGSTAD (Norway): I apologize for taking the floor again, but I would like to make a few comments on the issue of expansion. But firstly, also my delegation would like to welcome the Ambassadors of Kenya and Romania and extend our best wishes to Ambassador Krasnohorská on her departure from Geneva.

I can assure the distinguished Ambassador of Morocco that we have, indeed, no intention or desire to point the finger in any direction. But we are deeply disappointed that the Conference on Disarmament has not been able to make a decision on expansion of membership during this session. As also pointed out in the Special Coordinator's report, the question of expansion is closely linked to the credibility of the Conference and, ultimately, the relevance, legitimacy and survivability of this forum. We are of the view that the CD would benefit from improved representativity and a larger degree of openness. In today's world, it is not possible to justify that States are denied membership of the CD. For my delegation, it is politically unacceptable to continue to exclude countries from membership in this forum, countries that even contribute to its funding. Although we would like to see

(Mr. Kongstad, Norway)

the CD opened up for universal membership and we will continue to work towards this end, we realize that at this stage only limited expansion might be possible. We have, therefore, been able to support Ambassador Hofer's proposal on membership for five countries as a step in the right direction.

Having failed this session, we feel strongly that the question of expansion must be addressed from the very beginning of the next session. Hopefully, all delegations will be able to get the necessary instructions during the inter-sessional period in order to take action when the Conference reconvenes next year. Therefore, we support, in the present circumstances, the proposal made by the Ambassador of Morocco.

The PRESIDENT: Thank you very much indeed for that statement. I have also the representative of Bangladesh. You have the floor, Sir.

Mr. ISLAM (Bangladesh): On behalf of my Ambassador, who is away on other important business, I should like to put on the record our appreciation for the excellent manner in which you have been conducting the work of this Conference during the last few weeks, and I would also like to make the following observations.

The Bangladesh delegation notes that a positive atmosphere prevails in the CD today. Progress has been achieved in a number of areas, including on expansion. Ambassador Hofer is to be praised for his work on this aspect in presenting his report and in preparing a draft decision providing for the admission to the CD of Ecuador, Ireland, Kazakhstan, Malaysia and Tunisia. These five represent an optimal balance. Each of these delegations has the potential for making significant contributions to the CD. In fact, they have been doing so as they wait. The draft decision is the best possible option under the present circumstances. Our delegation would have liked to see a consensus during the current session. Mr. President, we will support any initiative you may want to take to cut the Gordian knot of this impasse.

The PRESIDENT: I am grateful to the representative of Bangladesh for his statement and for the kind words addressed to the Chair. I now call upon the Ambassador of Algeria, Ambassador Dembri.

Mr. DEMBRI (Algeria) (translated from French): Mr. President, allow me in my turn to offer you the heartiest congratulations of the Algerian delegation and its pleasure at seeing you conducting our work with the competence and savoir faire we are familiar with. We also wish to say goodbye to our colleague from Slovakia, who has won a significant place among us. I should also like to take this opportunity to welcome our colleagues from Romania and Kenya and assure them that they will find full support and cooperation from the delegation of Algeria.

We have studied the report of Ambassador Hofer, the Special Coordinator on expansion of the membership of the CD. We would like to thank him for the sustained efforts he has constantly made in discharging his mandate. The Algerian delegation also wishes to tell him how much it appreciated his patience and calm and the attentive ear he lent to everyone on a sensitive

(Mr. Dembri, Algeria)

subject which necessarily gives rise to heated debate. However, my delegation would really have liked to see a new step taken today on the path towards the expansion of the membership of the CD, in accordance with the proposal set forth in the Hofer report thus enshrining, even in a modest way, the principle of democratization of international relations, which Algeria has always upheld, and which the Non-Aligned Movement to which it belongs has made a cardinal point of its multilateral action. While expressing some regret, some vexation, that this has not happened, we nevertheless take due note of the points contained in the report of the Special Coordinator, in particular his recommendations to the effect that the consultations should continue on this important subject and that a decision should be taken at the very beginning of the next session. My delegation welcomes these recommendations and will support them at the beginning of our next session when the programme of work of the Conference on Disarmament is being drawn up, so that our efforts may follow up on the results obtained and recorded by Ambassador Hofer.

Sir, at the end of this session I cannot fail to conclude my statement by paying tribute to you once again and also paying tribute to all the Presidents of the CD who have been active in the consultations held by the troika on nuclear disarmament, to all the Special Coordinators for their efforts and the quality of their work - Ambassadors Campbell, Náray, Illanes, Palihakkara and Minister Grecu - as well as the Chairmen of the Ad Hoc Committees on security assurances and the prohibition of fissile material, Ambassadors de Icaza and Moher. We hope that we will all be meeting again here next January, ready to complete what we have begun this year, and also ready to commit our Conference to one of its tasks, one which is both a priority and a natural task - nuclear disarmament - thus fully restoring the CD to the role that falls to it in the necessary multilateralization of nuclear disarmament.

The PRESIDENT: Thank you for the kind words addressed to the Chair, and I acknowledge here also the good wishes you addressed to other Presidents, Special Coordinators and Chairmen of Ad Hoc Committees. I have inscribed on my list Sweden. The representative of Sweden, please.

Mr. BJARME (Sweden): Mr. President, let me first extend to you our delegation's warmest congratulations on the assumption of your post, and we would like to assure you of our fullest cooperation. At the same time, we would like to welcome the Ambassadors from Kenya and Romania and extend our best wishes to Ambassador Krasnohorská of Slovakia, who will be leaving the Conference. Let me also thank Ambassador Hofer for his excellent work and his report, which was just presented.

My delegation is among those who have already spoken on the subject of expansion and expressed regret and disappointment that no decision was possible to be taken today, and we have very much the same feelings as already expressed by Norway and Bangladesh, inter alia, and we feel that the proposal by the Ambassador of Morocco previously during this meeting should not be

(Mr. Bjarme, Sweden)

overlooked. We think it was a very good proposal under the circumstances where no decision is possible, so we would very much lend our support to the proposal by the Ambassador of Morocco.

The PRESIDENT: I am grateful to the representative of Sweden for his statement and for the kind words addressed to the Chair. The last speaker on my list is the representative of Turkey.

Mr. KESKINTEPE (Turkey): Mr. President, in the absence of my Ambassador, who is away at this time, allow me, on behalf of the Turkish delegation, to congratulate you upon your assumption of the presidency of the Conference on Disarmament and express our deep appreciation for the most efficient and exemplary manner in which you have presided over our deliberations. My delegation should also like to pay tribute to Ambassador Maimeskul of Ukraine, with whom Ambassador Sungar had the honour and privilege of working closely under the troika arrangement, and whose untiring efforts and leadership were instrumental in the adoption of the breakthrough decision on the establishment of an ad hoc committee on FMCT. We would like also to thank Ambassador Hofer of Switzerland, the Special Coordinator on the expansion of membership, for presenting his report at this meeting and for all the efforts he deployed on behalf of all CD members, old and new.

I should like to register my delegation's disappointment and regret that the Conference on Disarmament, coming so close as it did, could not take the decision on expansion today at its last plenary meeting in 1998. We had given our full support to the candidacies of the five countries from the very beginning, and we came to this meeting prepared to give a warm welcome to Ecuador, Ireland, Kazakhstan, Malaysia and Tunisia with which my country enjoys friendly and brotherly relations. I should like also to state that we will pursue this matter next year and continue to support their membership applications. We are confident that their aspirations will be realized early next year and that the Conference will be able to surmount the remaining difficulty so that the international community will be able to welcome five new CD members.

The PRESIDENT: I am grateful to the representative of Turkey for his statement and the kind words addressed to the Chair. The Ambassador of Ireland has asked for the floor. Madam, you have the floor.

Ms. ANDERSON (Ireland): Mr. President, I hesitated to take the floor, particularly as I do not have a script. I had prepared a script for today and right up to the very last moment, I hoped it might have been possible to use it. That script, of course, would have been one of celebration and a sense of joy at our admission and that of others to the CD and also a sense of great solidarity with the remaining applicants. As we see, that script - unfortunately - cannot be used.

Of course, we are disappointed. I think nobody could expect otherwise. Having waited 16 years, it is deeply, deeply disappointing to think that we now have to wait another year. Nevertheless, I did not want the occasion to

(Ms. Anderson, Ireland)

go by without registering thanks. I think perhaps at least one of the applicant countries should clearly put on the record our thanks to Ambassador Hofer. He brought extraordinary commitment to his task, and without his skills and his persuasive qualities and his energy, we would not have come as far as we have come.

But I think there are thanks due in other quarters also. Obviously, we, like any delegation here, follow developments very closely, and we know what happens outside the Conference, as well as what people say on the floor of the Conference. So, I think and hope we have a pretty full picture of where matters stand, and we know how many delegations - just how many - were prepared to participate in a consensus decision today. And we know that there is a spectrum of opinions in the CD on the enlargement question. In the case of many delegations, we have really been sustained by their steadfast support over a very prolonged period, and we enormously appreciate that. In the case of some other delegations, we know that they had to overcome doubts and hesitations in order to bring them to a point where they would have been ready to participate in a consensus decision today. But we know that they made that effort and travelled that road and would have been prepared to participate in that consensus. So to all those delegations, whatever your place on the spectrum, we really do appreciate the efforts that have been made by so many.

As to what happens next, I confess in the immediate aftermath of one's sense of disappointment, it is difficult to speak about it, and I note and appreciate the helpful interventions made around the room today, but as I say, it is a little difficult in the circumstances to cheerily speak about what might happen in 1999, so I leave that aside for the moment.

My main purpose in taking the floor was to say that of course we will remember today and all the developments surrounding today, and we will reflect, but it was really to say that we know how many of you were prepared to welcome us and others as a member of the CD, and we do appreciate that.

The PRESIDENT: I thank the representative of Ireland for her statement. This concludes my list of speakers for today. Does any other delegation wish to take the floor? I am informed that Malaysia wishes to take the floor. You have the floor, Sir.

Mr. HASNUDIN (Malaysia): I would like to join the other delegations to congratulate you on the assumption of the presidency of the Conference, and my delegation wishes to associate itself with the statement made by the Ambassador of Ireland. I wish also to thank Ambassador Hofer for his effort in coordinating the group to ensure that the applications of the five members were taken into consideration by the Conference. Finally, my delegation would like to thank all the members of the Conference that have given their support to our application, and we hope that a decision will be taken at the first plenary next year.

The PRESIDENT: Thank you for the kind words addressed to the Chair. Romania.

Mr. MAXIM (Romania): Mr. President, may I first of all congratulate you on the exemplary manner in which you discharged the duties of the President and wish you success in the presentation of the CD report to the United Nations General Assembly? I have asked for the floor in order to express my heartfelt gratitude for the kind words of welcome I have just received in my capacity as Ambassador and the head of the Romanian delegation to the Conference on Disarmament. I stand ready to cooperate with you all in the fulfilment of our common endeavours.

The PRESIDENT: Thank you for the kind remarks addressed to the Chair. The Ambassador of Ecuador. Sir, you have the floor.

Mr. GALLEGOS CHIRIBOGA (Ecuador) (translated from Spanish): Mr. President, in this statement I would like to thank you for your leadership in this Conference. This has been a meeting that we shared with the words of the Ambassador of Ireland and the representative of Malaysia. We too had brought some notes for a statement expressing appreciation at Ecuador's entry, 18 years after lodging its application. I would like to thank all those delegations which, as the Ambassador of Ireland said, we know well, and which supported the cause of our entry into the Conference on Disarmament. Ecuador is a country that loves peace and wished to support this Conference through its contribution, cooperation and solidarity as a member, over and above being an observer. In particular I would like to thank Ambassador Hofer for his diligent efforts, the consultations that he tirelessly held to achieve this aim, and I am sorry that on this occasion, near as we were to a consensus, which included the great majority of those here, we were not able to reach that point. Despite the consultations that were held with the countries involved, this distresses my delegation, and obviously this is not a happy moment, as the Ambassador of Ireland said. Many thanks to all of you.

The PRESIDENT: Thank you for the kind words addressed to the Chair. The representative of Tunisia has asked for the floor. Tunisia.

Mr. BACCAR (Tunisia) (translated from French): Mr. President, following the statements by the representatives of countries belonging to the group of five applicants for membership in the Conference, the delegation of Tunisia is compelled to take the floor to first of all express its thanks to you, Sir, as well as Ambassador Hofer, for the tireless efforts made to move the question of expansion of the Conference forward, and the Tunisian delegation also wishes to thank all the members who expressed support for the admission of the group of five, in particular the delegations of Algeria, Turkey, Norway and Bangladesh. It is superfluous, once again, to express our disappointment because it is there, it is clear and we share the view of the representatives of Ireland, Ecuador and Malaysia, and we keenly hope that this question will be positively resolved at the outset of the next session of the Conference.

The PRESIDENT: Thank you for the kind words addressed to the Chair. I seem to have exhausted my list of speakers, and I therefore propose to move on to the next item, which is to put to the Conference for adoption the report of the Ad Hoc Committee on Effective International Arrangements to Assure

(The President)

Non-nuclear-weapon States against the Use or Threat of Use of Nuclear Weapons, as contained in document CD/1554. May I take it that the Conference adopts this report?

It was so decided.

The PRESIDENT: Similarly, I should like to put to the Conference for adoption the report of the Ad Hoc Committee under item 1 of the agenda, entitled "Cessation of the nuclear arms race and nuclear disarmament", as contained in document CD/1555. May I take it that the Conference adopts this report?

It was so decided.

The PRESIDENT: I shall now invite the Conference to formalize the provisional agreements reached at the informal plenary meeting this morning on the draft annual report contained in document CD/WP.497/Rev.1. In accordance with past practice and unless the Conference decides otherwise, I shall proceed to the adoption of our annual report section by section, drawing your attention only to those paragraphs which were subject to changes. As I have noted previously, blank spaces will be filled in by the secretariat. In addition, the reports of the two Ad Hoc Committees, which are integral parts of the annual report, will also be incorporated by the secretariat in the relevant sections of this report.

The representative of New Zealand has asked for the floor. Do you wish to take the floor at this stage, Sir, or at a later stage in the consideration of the report? I am in your hands.

Mr. PEARSON (New Zealand): Since this is the first time I am taking the floor, may I congratulate you on your assumption of the presidency and say how good it is to see you in the Chair, Ambassador? May I also welcome our colleagues from Kenya and Romania and extend my best wishes to our colleague from Slovakia?

This statement is being made on behalf of Australia, Canada, Japan, Ukraine, Hungary, Poland, the Netherlands, New Zealand, Norway and the United States of America. As we move to consider the draft report of this Conference for the 1998 session, these delegations wish to make several observations which are critical to our understanding of the debate on the annual report.

As this Conference is aware, Australia, Canada and New Zealand proposed that a paragraph be inserted into the annual report covering deliberations we have had on nuclear testing. That paragraph read:

> "In May 1998, a series of nuclear tests were carried out in South Asia, first by India and then by Pakistan. This fact led to several discussions in the Conference, including plenary 795, during which the positions of members of the Conference were put forward, including the positions of those two countries as well as that

(Mr. Pearson, New Zealand)

> of 47 members and observers as expressed in CD/... . The full range of positions are duly noted in the plenary records of this session. In this context, the Conference also had before it the following documents:".

In putting forward this proposal, we stated that it is difficult for us to accept an annual report which does not factually reflect a critical development in 1998 highly relevant to this Conference and to the international community. It was a development which led to numerous discussions and the submission of many documents. It led to the convening of a special plenary of the Conference on 2 June, at the request of Australia and New Zealand. At that special plenary, 47 members and observers, formally and collectively, put on record that:

> "they condemn all nuclear testing and consider such acts to be contrary to the international consensus which bans the testing of nuclear weapons and other nuclear explosive devices."

It was equally the view of those 47 delegations that:

> "the tests undertaken by India and Pakistan's decision to respond with its own tests blatantly undermine the international regime of non-proliferation of nuclear weapons."

It is the strength of this conviction which underlies our desire to see the factual reality of this development - and the Conference's reaction to it - at least acknowledged in our annual report. We fully recognize that such an acknowledgement would have to be neutral and strictly factual, given the collective and consensus-based nature of our report. In our view - and we sense this is shared by many other delegations - our proposed addition to the annual report fully satisfies those requirements in a way which should have been acceptable to all.

It is with great regret that we note that the draft annual report before us for adoption today does not incorporate our proposed addition. We wish, therefore, to put the following comments officially on record.

Two factors were advanced as the basis for the rejection of our proposal.

The consensus rule of the CD was invoked by two delegations, which stated categorically that they would deny consensus to any report incorporating our proposal. We find this arbitrary use of the consensus rule for the rejection of such a neutral and factual text to be difficult to understand and most regrettable. We are, however, compelled by our rules of procedure to accept that outcome. We had, of course, stated from the beginning our awareness of this rule and of its implications for our proposal. On this point we are prepared to accord recognition.

(Mr. Pearson, New Zealand)

But the second factor which was advanced is far more serious in its substance and in its implications for the work of the CD. This was the alleged importance given to "precedent" - a factor which, by the way, we cannot find in our rules of procedure.

Let me address the implications for the work of the CD.

First, there is the assertion that since there is no "precedent" for dealing with this kind of issue in the report, then we cannot do so now. We find this - frankly - to be very disturbing. Are we being asked to accept that the CD can only react to or record developments that have an exact parallel in the past? To do so would render this important body incapable of dealing with real issues in the real world. The consensus rule provides sufficient protection for the national position of any member on substantive negotiating issues.

The second assertion advanced for the "precedent" factor is more substantive and critical in nature. This is the assertion that nuclear testing by India and Pakistan in 1998 had its "precedent" in the past and thus, the handling of the matter in the Conference's annual report must parallel previous actions.

There is no "precedent" for the nuclear testing by India and Pakistan earlier this year, either in substance or in context. Never before have two non-nuclear-weapon States non-parties to the Treaty on the Non-Proliferation of Nuclear Weapons openly carried out nuclear weapons testing. Never before have such actions been carried out in blatant disregard of an international norm.

That norm is enshrined in the almost universal membership of the NPT, in the decisions taken by 185 States at the 1995 NPT Review and Extension Conference, in the adoption of resolution 50/245 of 1996 concerning the Comprehensive Nuclear Test-Ban Treaty, and in the signature by 150 States of that Treaty.

There is, therefore, absolutely no possibility of our acceptance, explicitly or implicitly, of such an argument.

Australia, Canada, Japan, Ukraine, Hungary, Poland, the Netherlands, New Zealand, Norway and the United States wish to renew our condemnation of all nuclear testing; to regret the inability of this Conference in its annual report to deal factually with a critical development in 1998 of direct and immediate importance to the Conference; to record that the only basis for our acceptance of the annual report is the invocation by two delegations of the consensus rule; to reject any assertion of "precedent" as a basis for preventing or precluding the inclusion of factual references in the annual report; and, finally, to reaffirm the views put forward in the joint statement by 47 delegations and observers which was made at a special plenary meeting of this Conference on 2 June 1998.

(Mr. Pearson, New Zealand)

It is against this background that we do not, therefore, object to the adoption of the draft report as put before us by you today.

The PRESIDENT: Thank you, Mr. Pearson, for the kind words addressed to the Chair. The Ambassador of Pakistan has asked for the floor. Ambassador, you have the floor, Sir.

Mr. AKRAM (Pakistan): Mr. President, at this last session of the Conference, it had not been my intention to take the floor, despite the temptation to make a *tour d'horizon* at the conclusion of our annual meeting. But since I am obliged to take the floor as a result of the statement which has just been made by the distinguished Ambassador of New Zealand, I would like to take this opportunity, first of all, to extend my congratulations to you, Sir, for the most admirable, objective and amiable manner in which you have conducted the proceedings of our Conference since assuming its presidency. I wish to add also my delegation's felicitations to Ambassador Maimeskul of Ukraine for his very diligent and conscientious performance as the President of our Conference for the last month. It is also a pleasure to welcome in our midst an old friend, Ambassador Maxim of Romania, as well as Ambassador Rana of Kenya. We are sad, of course, that Ambassador Mária Krasnohorská will be leaving us soon. She was always a constructive and flexible colleague with whom my delegation had excellent relations. We wish her all the best. I would also like to express my delegation's appreciation for the commendable and skilful way in which Ambassador de Icaza has handled the difficult work of the Ad Hoc Committee on negative security assurances and the anticipated performance of Ambassador Mark Moher in the brief period that he served as the Chairman of the Ad Hoc Committee established under item 1. We also wish to thank the Special Coordinators for the exemplary work that they have performed, including the Ambassador of Switzerland, who made a supreme effort to achieve consensus on the issue of expansion, a consensus which has escaped us by only a hair's breadth.

I would like to respond to the statement which has just been made by the distinguished Ambassador of New Zealand because I believe that both on procedure and on substance the statement reflects a position that is a chronic discrimination that imbues the world's posture on the issue of nuclear disarmament and non-proliferation.

It may be recalled that we had noted the proposal made by Canada to reflect the statement made in the CD on 2 June on the issue of nuclear tests in South Asia. My delegation did not agree to the proposal for the following reasons. Firstly, the format of the CD's report to the General Assembly over the past several years has been factual. It has not summarized statements and debates on various issues, whether these issues were global or regional. Secondly, the reports for the years 1995 and 1996 did not have references to the statements of delegations made in the CD on nuclear tests conducted by two nuclear-weapon States. I do not accept the distinction which has just been propounded by the distinguished Ambassador of New Zealand that some tests are legitimate or more acceptable than others. Nuclear testing - if it is to be condemned - has to be done universally, whether it is conducted by a

(Mr. Akram, Pakistan)

nuclear-weapon State or a non-nuclear-weapon State. Otherwise, we are practising double standards. Which god has ordained that there will be five legitimate nuclear-weapon States? The NPT? The NPT is not the word of God - certainly, not of my god. We do not accept that there are five legitimate nuclear-weapon States. We reject this. We - and any other country - have got equal rights to security, equal rights to defend ourselves against the nuclear threat, and we have done so, and we will continue to do so, if and so long as that threat exists. So I do not accept prescriptions of NPT Review Conferences in which we did not participate. And we cannot be told of a morality that is held by some who are at a party. For the nuclear-weapon States to tell the rest of the world not to acquire nuclear weapons is like five drunkards preaching abstinence to the rest of the world. And they are being supported here in this Conference by others who are having fun at the party. Well, we are not at the party, and we have been obliged to imbibe of this sin because of the threat to our security. It was not a matter of choice. We are not a country which, like some, have allowed nuclear testing on their soil. We are not a country which supplied uranium for the production of nuclear weapons and now have assumed a new morality in a new age when we can preach to others to stop nuclear testing. We are not a country which has supplied a research reactor to our neighbour to produce fissile materials, despite our warnings that this facility would be misused for the production of nuclear weapons. And yet those same countries lecture us today, after having made it possible for our neighbour to acquire the nuclear weapons which today threaten us. We do not accept such moralizing. We reject it totally, and we will continue to do so strongly whenever such statements are made.

Mr. President, since 1945, more than 2,000 nuclear tests have been conducted by the nuclear-weapon States. Out of these, more than 500 were conducted in the atmosphere, more than 1,500 underground: the United States, 1,000 tests; the Soviet Union and Russia, more than 700; France, 200; the United Kingdom, 45; the People's Republic of China, 45. Some nuclear-weapon States conducted tests in countries other than their own. This was denounced by the OAU and the Non-Aligned Movement. But some countries welcomed the tests on their own soil, and these countries now hold great moral positions.

Has nuclear testing been stopped by the nuclear-weapon States? I am afraid that despite the adoption of the CTBT, nuclear testing has not stopped. Certain Powers continue to conduct research in the qualitative development of nuclear weapons, including through subcritical testing, which was conveniently excluded from the ban contained in the CTBT. It is this qualitative development of nuclear weapons which must be condemned by those with a moral position, if they wish to stop the nuclear arms race and reverse it. Why is New Zealand silent on the qualitative development of nuclear weapons through subcritical testing? Because these are done by allies, by the same racial people? We do not accept discrimination. And we believe that the statement which has just been made by our colleague is the epitome of the discrimination to which the third world has been subjected for so long.

In the informal CD plenary, when the suggestion was made for a special mention of the 2 June plenary, we said that the treatment of the issue of South Asian nuclear tests would have to be comprehensive and balanced. From

(Mr. Akram, Pakistan)

Pakistan's point of view, it would have required mention of the statement made by our Foreign Minister as early as in March 1998 that there was an imminent threat of nuclear proliferation in South Asia and that a nuclear test was possible. I myself had asked at that session what was the response of the Conference on Disarmament to this danger, and there was utter silence. This record would require the reflection of statements which my delegation made on 14 May recounting the history of proliferation in South Asia and the role of a number of countries, including those who have joined in this statement, towards India's nuclear-weapons programme. Moreover, reflection of our statement on 2 June would also have been necessary, explaining the compulsions raised by Pakistan which obliged it to demonstrate nuclear capability.

To put it mildly, it would not have been possible to achieve consensus on what would be a balanced reflection of all the positions expressed in the CD. It would have consumed much more time than was available before the conclusion of this session of the Conference on 9 September. For these reasons, Mr. President, you very wisely felt that it would have been most difficult to include the reference proposed by New Zealand, Australia and Canada. My delegation has been consistent in opposing the inclusion of this proposal in the report, but even now - even now - we are quite prepared to work on this for another month, if necessary, in order to ensure a balanced, full and comprehensive reflection of all the issues relating to nuclear testing. But let us remember that nuclear testing is not an item on our agenda. Nuclear disarmament is. And today, we were unable to achieve consensus on a simple proposal from the delegation of Egypt for a compilation of all documents relating to nuclear disarmament in this Conference. I wish the distinguished Ambassador of New Zealand had had the courage to also condemn this double standard which has eroded the promotion of the item of the highest priority for this Conference.

If at all there has to be a reflection in our report of relevant debates, this must cover the whole gamut of our discussions, including the continuing development of nuclear weapons. It must also include reference to non-ratification of START II, as well as other treaties on nuclear disarmament. It should recall the failure of the CD to accept and deal with any major nuclear disarmament initiative and proposal: the proposals made by members of the Group of 21, the proposals by the Canberra Commission, as well as the procedural proposals made by South Africa and other delegations to establish an ad hoc committee on nuclear disarmament.

As regards nuclear testing, let me recall, in sharp contrast to the kind of statement we have heard just now, the recent position adopted by the Non-Aligned summit, which dealt with nuclear disarmament, as well as with the issue of the tests in South Asia.

The communiqué issued in Durban states that the Heads of State or Government of the Non-Aligned Movement "noted the complexities arising from nuclear tests in South Asia, which underlined the need to work even harder to achieve their disarmament objectives, including elimination of nuclear weapons. They considered positively the commitment by the parties concerned in the region to exercise restraint, which contributes to regional security,

(Mr. Akram, Pakistan)

to discontinue nuclear tests and not to transfer nuclear-weapons-related material, equipment and technology. They further stressed the significance of universal adherence to the CTBT, including by all nuclear-weapon States, and commencement of negotiations in the Conference on Disarmament on fissile materials (decision CD/1547) which, inter alia, should accelerate the process of nuclear disarmament. They also stressed their positions against unilateral, coercive or discriminatory measures which have been applied against non-aligned countries. They reiterated the need for bilateral dialogue to secure peaceful solutions on all outstanding issues and the promotion of confidence- and security-building measures and mutual trust".

Mr. President, I would submit to the members of the Conference that this approach, which enjoys the unanimous support of all the members of the Non-Aligned Movement, deserves the close attention and consideration of this Conference and of the international community. This may provide a reasonable and constructive response to the developments that took place this year in South Asia. My delegation's response to the situation has been constructive. We remain engaged in dialogue with a number of our friends, but let me also state that we will not accept discrimination, we will not accept moralizing, and we will not accept coercion.

The PRESIDENT: I am grateful to the Ambassador of Pakistan for his statement and for the kind words addressed to the Chair. As always, I listened extremely carefully to what the Ambassador had to say, but I am afraid that his remarks about partying suggested to me that the hour is getting on, and perhaps we should be thinking of taking some sustenance to keep us going in this debate. I have one further speaker on this subject - I assume it is on this subject. I give the floor to the Ambassador of India.

Ms. KUNADI (India): Mr. President, let me also express the satisfaction of my delegation at seeing you preside over the Conference on Disarmament, and we do appreciate the skilful manner in which you have guided our deliberations for the finalization of our report to the United Nations General Assembly. I would also like to join the previous speakers in welcoming the Ambassadors of Romania and Kenya to the CD and to say goodbye to the Ambassador of Slovakia.

Mr. President, it was not really my intention to take the floor today, and I will be brief due to the lateness of the hour and in response to your appeal. However, in the light of the statement made by the representative of New Zealand, on behalf of a group of States, I would like to reiterate my country's position on the question of nuclear tests, as already spelt out in the CD and contained in its records. So we regret that the statement has come at this juncture when we are about to adopt a report and when all delegations have shown flexibility and goodwill to advance the work of the CD.

India's nuclear tests were conducted for reasons similar to those invoked by others who have conducted tests, that is, national security. The logic and rationale of India's approaches had been set out earlier by me. No international law has been violated, and we also do not accept a distinction between tests. India has announced a moratorium on further nuclear explosive testing and announced other measures and initiatives, which have also been conveyed to the CD.

(Ms. Kunadi, India)

India's commitment to nuclear disarmament, as the highest priority, remains undiminished and unaltered. The Non-Aligned Movement consensus, reiterated by the Durban summit, is strongly for nuclear disarmament and the complete elimination of nuclear weapons in a specified time-frame. The Final Document of the summit of the Non-Aligned Movement states that the summit - and this has already been quoted by the Ambassador, but I shall quote very briefly - "noted the complexities arising from nuclear tests in South Asia, which underlined the need to work even harder to achieve their disarmament objectives, including elimination of nuclear weapons". The Durban summit has also called for an international conference, preferably during 1999, so that the dawn of the next millennium could see progress towards a nuclear-weapon-free world.

The PRESIDENT: I thank the Ambassador for her statement and for the kind remarks addressed to the Chair. No doubt the experts will be scrutinizing your version of the quotation from the Non-Aligned Movement document alongside that from the Ambassador of Pakistan to see if are any revealing differences. Thank you for the brevity of your statement, Madam Ambassador.

I would like, if delegations agree, to move on with the consideration of the draft report. May I first of all ask whether section I, entitled "Introduction", is adopted?

It was so decided.

The PRESIDENT: I shall proceed to section II, entitled "Organization of work of the Conference". As I told the plenary this morning, as the result of its application, Thailand will be added to the list of countries having applied for membership in paragraph 15. May I take it that on this basis, section II is acceptable?

It was so decided.

The PRESIDENT: I want now to turn your attention to section III, entitled "Substantive work of the Conference during its 1998 session", but before doing so, I would like to make, for the record, the statement which I undertook to do during the informal plenary meeting this morning. As required by the rules of procedure and in response to the request in paragraph 48 of our report, I shall conduct consultations jointly with the incoming President during the inter-sessional period to help the Conference to commence early work in the 1999 session. In these consultations, I wish to make clear that we will take the request by the delegation of Egypt, supported by the G-21, for the secretariat to issue a CD document to include a compilation of CD and United Nations proposals and documents related to nuclear disarmament in order to facilitate consultations under this item. Due to the limited time available for consideration of this request before the end of the current session, this matter will be pursued by the presidency during the inter-sessional period in order for such a document to be available at the beginning of the 1999 session.

(The President)

In addition, with regard to section III, I remind the Conference that at the end of paragraph 47, a new document, CD/1556, submitted by Norway, related to the International Agenda on Small Arms and Light Weapons, will also be listed.

On this basis, may I take it that section III is adopted?

It was so decided.

The PRESIDENT: May I now take it that the annual report in its entirety, as contained in document CD/WP.497/Rev.1 and as earlier amended, is adopted?

It was so decided.

The PRESIDENT: The secretariat will issue the report as an official document of the Conference as soon as possible.

This is my last plenary meeting as President. My main task has been to oversee the process of adopting the report of the Conference to the forthcoming General Assembly of the United Nations. I am grateful to all delegations for their assistance in ensuring that today that task has been duly accomplished.

The contrast between the report this year and last cannot go unnoticed. As many of my predecessors have noted, following the conclusion of the negotiations on the CTBT in 1996, the CD had to pause. It had to take stock, to reflect on the priorities before it, and to seek to build a consensus on the next steps. These efforts have been pursued intensively over the last two years on a number of fronts. Last year this process of reflection was clearly unfinished.

This year, as our report demonstrates, the process was taken up with renewed vigour and intensity. Thanks to the painstaking efforts of the previous Presidents, the Conference was able to move the establishment of two Ad Hoc Committees, and I would like to join in the tributes to the Chairmen, Ambassador Antonio de Icaza and Ambassador Mark Moher, for the direction they have given to the work of their respective Ad Hoc Committees. Nonetheless, the process of reflection and consensus-building, which we have continued from last year, remains in a number of respects unfinished. The two Ad Hoc Committees established this year held a total of 11 meetings - 9 in one case, 2 in the other. Their work has only just begun. I note that in their reports, both Ad Hoc Committees recommend their re-establishment at the beginning of the 1999 session.

The six Special Coordinators, appointed in May this year, have all been active in the implementation of their mandates, and I wish to pay tribute to them all for the unstinting efforts in the difficult and often frustrating task of trying to build consensus in the sensitive but important domains with which they have been entrusted. I note that in their reports all six have recommended that Special Coordinators on these issues be reappointed in 1999, and following this morning's discussions, I note also that a number of

(The President)

delegations have expressed the hope that the proposal contained in the report of the Special Coordinator on expansion can be brought up at the start of the next session.

Last, but obviously by no means least, there is the issue of nuclear disarmament. I would like to commend each of my predecessors as President this year, but in particular, my current troika colleagues, Ambassador Mykola Maimeskul and Ambassador Bob Grey, for the wisdom, experience and energy which they have dedicated to this most sensitive of the issues before the Conference. As I told the plenary in my report on 3 September, the consultations which I conducted during my presidency were inconclusive and delegations clearly felt that more work needed to be done. I therefore recommended that the troika consultations should resume at the start of the 1999 session. Since this, at least, was my own recommendation, I need hardly add my personal endorsement of it.

Against this background, our report reflects both work which has just started and work which might yet be done. My task, too, is not yet finished. As required by the rules of procedure and in response to the request in paragraph 48 of our report, I look forward to conducting appropriate consultations jointly with the incoming President during the inter-sessional period to help the Conference commence early work in the 1999 session. With the goodwill which has been evident throughout our recent consultations, I am confident that Ambassador Grey and I will be able to pave the way for a rapid start and a productive year in 1999.

In conclusion, on behalf of myself, of the United Kingdom delegation and of all members and observers of the Conference, I wish to thank most sincerely the Secretary-General of the Conference, Mr. Petrovsky, who cannot be with us today, unfortunately, the Deputy Secretary-General, Mr. Abdelkader Bensmail, and all other members of the secretariat for their dedicated, efficient and tireless support and advice. I can assure you that it has been much appreciated. Similarly, I would like to thank the interpreters for their valuable, invisible, but certainly not inaudible work. I am sorry that so often the deliberations of the Conference have detained them beyond the appointed hour. And finally, and personally, I would like to thank all delegations for the understanding and cooperation which they have extended to me - in particular, of course, the various coordinators of the regional groups and the representative of China. It has been an honour for me to have presided over this distinguished body, and I have enjoyed the challenge of working with you all. It only remains for me to wish Ambassador Grey of the United States, as my successor in the Chair from 1 January, all success in his task and to assure him of my full cooperation.

This concludes our business for today and the 1998 session of the Conference. The next plenary meeting of the Conference will be held on Tuesday, 19 January 1999, at 10 a.m. In the meantime, my very good wishes to you all.

The meeting rose at 1.45 p.m.